



DATE: November 6, 2024

TO: Board of Education

FROM: Mrs. Kerstin Kramer, Superintendent Chief Learning Officer

SUBJECT: Approve the Proposed Revisions to Board Policy and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action

PRESENTED BY: Mike Shepherd, Executive Director of Human Resources

ACTION REQUESTED

Approve the proposed revisions to Board Policy and Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action.

BACKGROUND INFORMATION

Policy updated to add that the Governing Board expects all employees to serve as positive role models at school and in the community for consistency with expectations for certificated staff, generalize the material related to the basis for disciplinary action, and reflect NEW COURT DECISION (Visalia Unified School District v. PERB) which held that service as a union officer constitutes protected activity under the Educational Employment Relations Act for purposes of complaints of retaliation for union activities, and that retaliation solely for engaging in protected activities is prohibited.

Additionally, policy updated to amend the list of what may be considered disciplinary actions to more closely align with law, clarify that if a timely request for a hearing is submitted, a third-party hearing officer is required to conduct the hearing if the Board has delegated such authority, and to add new section "Compulsory Leave of Absence" for consistency with law and the accompanying administrative regulation.

Regulation updated to reference that discrimination against a person in termination or any term or condition of employment based on the person's use of cannabis when off the job or away from the workplace is prohibited. Additionally, regulation updated to delete outdated material and for clarity.

RESOURCES REQUIRED: N/A

PREPARED BY: Tichelle Criswell, Administrative Assistant, for Mike Shepherd, Executive Director of Human Resources

Attachments: BP and AR 4218 - Dismissal/Suspension/Disciplinary Action - Compared